

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

Midas Green Technologies, LLC,

Plaintiff,

- vs. -

Rhodium Enterprises, Inc.;
Rhodium Technologies LLC;
Rhodium 10mw LLC;
Rhodium 2.0 LLC;
Rhodium 30mw LLC;
Rhodium Encore LLC;
Rhodium Industries LLC;
Rhodium JV LLC;
Rhodium Renewables LLC;
Rhodium Shared Services LLC;
Rhodium Shared Services PR Inc.;
Chase Blackmon;
Cameron Blackmon;
Nathan Nichols;
Rhodium 2.0 Sub LLC;
Rhodium Encore Sub LLC;
Rhodium Renewables Sub LLC;
Rhodium Ready Ventures LLC;
Rhodium 10MW Sub LLC;
Rhodium 30MW Sub LLC;
i Ventures Enterprises LLC (fka Energy
Tech LLC);
Air HPC LLC;
Jordan HPC LLC; and
Jordan HPC Sub LLC.

Defendants.

Civil Action No. 6:22-cv-00050-ADA

Jury Trial Demanded

**SUPPLEMENT TO PLAINTIFF'S OPPOSED MOTION
TO MODIFY SCHEDULING ORDER**

This supplement corrects one statement in Plaintiff's opposed motion to modify the scheduling order. At the time Plaintiff's counsel gave instructions to its paralegal to finalize and file the motion at approximately 7:00 pm on December 20th, the substance of the motion was

correct – Plaintiff had not received a response to their multiple requests to meet and confer. At that time, however, the Western District of Texas ECF was unavailable and filing therefore was delayed by about ninety minutes. Within that period at 8:16 pm Central Standard Time on December 20th, Defendants’ counsel responded to Plaintiff’s December 15th email, offering to meet and confer. Plaintiff’s paralegal was able to complete the filing of the opposed motion at 8:28 pm Central Standard Time, unaware of this development. This supplement therefore corrects that Defendants’ counsel did offer to meet and confer on this issue 12 minutes before the motion was actually filed.

Subsequently, the parties met and conferred, and Defendants confirmed that they oppose the relief sought in this motion, and have counterproposed a deadline for substantial completion of document discovery and email/ESI discovery on February 10, 2023. The parties are continuing to meet and confer on this issue.

Dated: December 22, 2022

Respectfully submitted,

/s/ Henry M. Pogorzelski

Henry M. Pogorzelski

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Counsel for Plaintiff
Midas Green Technologies, LLC

CERTIFICATE OF SERVICE

I hereby certify that counsel of record who have appeared electronically in this case are being served on December 22, 2022 via the Court's ECF system.

/s/ Henry Pogorzelski
Henry Pogorzelski